

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In Re: Emile E. Morad

Chapter 7
Bankruptcy Case 02-15186
Judge Joel B. Rosenthal

**CLERK'S CERTIFICATION FOR TRANSMITTAL
OF RECORD ON APPEAL**

I, JAMES M. LYNCH, Clerk of the United States Bankruptcy Court for the District of Massachusetts, do hereby certify that the annexed documents are copies of the original papers as described in the accompanying Designation of Record and constitute the Record on Appeal in the case entitled and numbered **02-15186**.

**IN TESTIMONY WHEREOF, I HEREBY SET
MY HAND AND AFFIX THE SEAL OF THIS
COURT, AT WORCESTER, IN THE DISTRICT OF
MASSACHUSETTS, THIS 25th DAY OF FEBRUARY**

Date: 2/25/05

James M. Lynch
Clerk, U.S. Bankruptcy Court

By the Court,

David Corchado

Deputy Clerk
(508) 770-8905

Receipt of the documents in the above-entitled case as described in the Designation of Record is hereby acknowledged this 25th day of February, 2005.

This case has been assigned No. 05-40037.

Kathleen Nassett
DEPUTY CLERK

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In Re: Emile E. Morad

Chapter 7
 Bankruptcy Case 02-15186
 Judge Joel B. Rosenthal

NOTICE OF FILING OF APPEAL TO DISTRICT COURT

A Notice of Appeal and an Election to have the appeal heard in the United States District Court were filed on **JANUARY 19, 2005** in the above case/proceeding.

Please refer to 28 U.S.C. § 158(c)(1), Federal Rule of Bankruptcy Procedure 8001 et seq., and Local Rule 203 of the U.S. District Court. Also, pursuant to Federal Rule of Bankruptcy Procedure 8006 the Appellant must file with the Clerk of this Court, a Designation of the Record on Appeal and a Statement of the Issues to be presented on Appeal, within ten (10) days of the filing of the:

1. Notice of Appeal, or
2. Entry of an Order granting leave to appeal, or
3. Entry of an Order disposing of the last timely motion outstanding of a type specified in Rule 8002(b),

whichever is **later**.

A copy of the Designation and Statement shall be served by the Appellant on the Appellee.

The Appellee may file a Designation of Additional Papers to be included in the Record on Appeal within ten (10) days after service of the Appellant's Designation and Statement.

Upon the filing of Designation(s) of Record and Statement of Issues on Appeal, the Appellant (and Appellee if additional papers have been designated) shall, provide the Clerk with copies of all papers which have been designated for inclusion in the Record on Appeal within twenty-five (25) days of the issuance of this notice.

It is the duty of the parties to insure that the Record on Appeal is complete. The Clerk of the Bankruptcy Court will transmit the Record on Appeal as assembled by the parties.

Date: 1/19/05

James M. Lynch
 Clerk, U.S. Bankruptcy Court

By the Court,

David Corchado
 Deputy Clerk
 (508) 770-8905

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FILED
IN CLERK'S OFFICE
UNITED STATES BANKRUPTCY COURT

DISTRICT OF MASSACHUSETTS 2005 JAN 19 A 11:20

EASTERN DIVISION

U.S. BANKRUPTCY COURT
DISTRICT OF MASS.

IN RE:

Emile E. Morad
Debtor

CHAPTER 7
CASE NO. 02-15186-JBR

NOTICE OF APPEAL

Emile E. Morad hereby appeals to the United States District Court, and not the Bankruptcy Appellate Panel, from the portion of the final order of the Bankruptcy Court entered on January 10, 2005 denying the Debtor's request to stop the interest from accruing on secured claims on the date that the trustee obtained the funds to pay the secured creditors in full.

The parties to the Order appealed from and the names and addresses of their respective attorneys are as follows:

STELLA XIFARAS and BARBARA XIFARAS in care of their counsel:

John S. Rodman Esquire
Mauser & DiPiano, LLC
98 North Washington Street, Suite 305
Boston, Ma. 02114-1913
Telephone 617- 227-8887

And:

Michael Franco Esquire
P.O. Box 952, 32 William Street,
New Bedford, Mass 02740
Telephone 508 993-0333

1/19/05
301

And

John Aquino Esquire Chapter 7 Trustee
260 Franklin Street,
Boston, Mass. 02110
Telephone 617 439-3500

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U.S. BANKRUPTCY COURT
DISTRICT OF MASS.

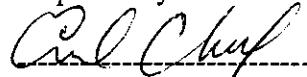
And

Louis Andrade in care of counsel
Thomas Canavan Esquire
450 Pleasant Street,
Brockton, Mass. 02301
Telephone 508 586-5858

And

Herbert Weinberg Esquire
805 Turnpike Street,
North Andover Ma. 01845
Telephone 978- 683-2479

Respectively submitted



Emile E. Morad/ Pro Se
2700 North Surf Road,
Hollywood, Florida 33019
1340 Drift Road
Westport, Ma. 02790

Dated January 18

Telephone 954 9235593 Local Address
Or local 774-930-4254

CERTIFICATE OF SERVICE

I, Emile E. Morad hereby certifies that I have this day mailed copies of the foregoing to John S. Rodman, Esquire, 98 North Washington Street, Suite 305, Boston, Ma. 02114-1913; Michael Franco Esquire P.O. Box 952, 32 William Street, New Bedford, Ma. 02740; John J. Aquino Esquire, Chapter 7 Trustee, 260 Franklin Street, Boston, Ma. 02110; Thomas Canavan Esquire, 450 Pleasant Street, Suite 2, Brockton, Ma. 02301; Herbert Weinberg, Esquire 805 Turnpike Street, North Andover Ma. 01845; Eric K. Bradford, Esquire, United States Trustees Office, 1184 Thomas O'Neil Jr. Federal Building, 10 Causeway Street, Boston, Ma. 02222-1074

Dated January 18, 2005



Emile E. Morad Pro Se

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
Proceeding Memorandum/Order

In Re: Emile E. Morad

Case Number: 02-15186 (JBR)

Chapter: 7

MOVANT/APPLICANT/PARTIES

#286 Debtor's Motion to Compel Interim Distribution and #294
 Statement of Chapter 7 Trustee in Response
 Herbert Weinberg for Debtor
 Donald F. Farrell for John Aquino, Chapter 7 Trustee

COURT ACTION:

Show-Cause Order	<input type="checkbox"/> Released	<input type="checkbox"/> Enforced
Granted	<input type="checkbox"/> Approved	<input type="checkbox"/> Moot
<input type="checkbox"/> Denied	<input type="checkbox"/> Denied without Prejudice	
Withdrawn in Open Court		
<input type="checkbox"/> Sustained	<input type="checkbox"/> Overruled	
Continued to: _____		
Proposed Order to be Submitted by: _____		
Stipulation to be Submitted by: _____		
Taken Under Advisement		

DECISION SET OUT MORE FULLY BY COURT AS FOLLOWS:

Trustee shall pay over to state court the full amount of the claim as proposed in its statement (#294) and the calculations therein, for the reasons set forth on the record, the Debtor's objections raised at the hearing are overruled.

SO ORDERED:

Joel B. Rosenthal
Joel B. RosenthalDated: 1/10/05

United States Bankruptcy Court
Harold Donohue Federal Building
595 Main Street,
Worcester, Ma. 01608.

*FILED
IN CLERK'S OFFICE*
January 18, 2005

2005 JAN 19 A 11:20

*U.S. BANKRUPTCY COURT
DISTRICT OF MASS.*

Attention David Corchado Deputy Clerk JBR

RE: Emile E. Morad Case No. 02-15186
NOTICE OF APPEAL

FILING FEE PAID

Dear Sir:

Enclosed please find for filing the following:

1. Debtor Emile E. Morad Notice of Appeal to the United States District Court and certificate of service.
2. A check in the amount of \$255.00 made payable to the Clerk of the Bankruptcy Court.

Kindly file my appeal with the United States District Court.

If there is anything needed in addition to the above please advise.


Emile E. Morad Pro Se